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|  | Environmental Performance Partnership Agreement | |
| | October 1, 2003 – September 30, 2005 | |
| | between | |
| | U.S. Environmental Protection Agency, Region 7 | |
| | and | |
| | Iowa Department of Natural Resources | |

Article I. Purpose and Guiding Principles

This document represents the first Environmental Performance Partnership Agreement between the Iowa Department of Natural Resources (IDNR) and the U.S. Environmental Protection Agency (EPA) Region 7.

The Environmental Performance Partnership Agreement (PPA) is the product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of EPA and the Environmental Council of States (ECOS). The long-range goal of this initiative is to develop an integrated system where states and EPA can work more collaboratively on common environmental goals, continuously improve our productivity and environmental quality, compliment each others strengths and compensate for our weaknesses. PPAs formed under NEPPS are also designated to provide states with flexibility in how they achieve environmental results and enhance our accountability in achieving environmental progress.

This agreement is complementary to accountability requirements for both agencies. Iowa's Accountable Government Act (AGA) requires the IDNR to institutionalize a result's oriented management system to maximize our effectiveness, efficiency and achievement of our mission and vision. EPA has similar requirements resulting from the Government Performance and Results Act, which requires federal agencies to align their activities, core processes, and resources to support mission-related outcomes. This PPA challenges both agencies to link proposed services, products and activities to actual improvements or changes in the environment. Both agencies recognize that we are not yet able to comprehensively establish links with all of our activities, but agree to further our progress towards managing for environmental outcomes.

The move towards managing environmental outcomes will be best supported through establishing an equal partnership between IDNR and EPA Region 7. Partnerships of this type require an adherence to principles, which have been negotiated in good faith. Therefore, both IDNR and EPA Region 7 shall commit to the following Guiding Principles. We will:

- Work together as equal partners respecting the contributions of both agencies;
- Strive for continuous improvement of environmental conditions within Iowa,

- Maintain a core level of environmental protection for all Iowans;
- Establish environmental goals that are reflective of local conditions, and respective of national concerns;
- Align federal and state resources to focus on environmental goals and objectives;
- Strive to continuously improve effectiveness and efficiency of our services, products and activities;
- Pursue innovative approaches and encourage flexibility where alternative approaches have the potential to achieve greater environmental results than traditional approaches;
- Seek pollution prevention approaches before management, treatment, disposal and cleanup;
- Report environmental progress using indicators and measures that demonstrate Iowa's environmental conditions, trends, and results – and continually work to develop improved, more meaningful indicators and measures; and
- Facilitate and encourage public understanding of environmental conditions and government activities.

This agreement is intended to be a living document. Though IDNR and EPA Region 7 have developed this PPA based on current and projected information, as new information becomes available or situations change, either partner may initiate discussions toward revising this Agreement, as discussed in Article V. Any amendments to this Agreement must be consistent with the previously stated guiding principles.

Article II. Scope

Through this PPA, the IDNR and EPA Region 7 have attempted to provide a description of their respective environmental protection activities for the period of this agreement. However, it should be noted that this agreement is not all-encompassing of IDNR services, products and activities. IDNR has described those services, products and activities that are part of the Environmental Services Division, and only those that are specifically funded by our Performance Partnership Grant (PPG) or state dollars matching this grant.

Other agreements and relationships between IDNR and EPA already in place are not included in this agreement. This agreement does not replace or supersede statutes, regulations, delegation agreements, or other agreements previously entered into with the state. This PPA is intended to provide the strategic framework for grants included in our PPG:

- Air Pollution Control – Clean Air Act, Sec. 105
- Water Pollution Control – Clean Water Act, Sec. 106
- Public Water System Supervision – Safe Drinking Water Act, Sec. 1443(a)
- State Underground Storage Tanks – Solid Waste Disposal Act, Sec. 2007(f)(2)B

Associated workplans are provided as Attachments A – E.

The PPA is also intended to provide the overall strategic framework for other federal grants to IDNR from EPA:

- Air Pollution Program – Clean Air Act, Sec. 103
- Water-Quality Cooperative Agreements – Clean Water Act, Sec. 104(b)(3)
- Wetlands Development Grants Program – Clean Water Act, Sec. 104(b)(3)
- Nonpoint Source Administration & Implementation Grants – Clean Water Act, Sec. 319
- Nonpoint Source Management – Clean Water Act, Sec. 205(j)(5)
- Watershed Planning Grants – Clean Water Act, Sec. 604(b)
- Pollution Prevention Incentive for States – Pollution Prevention Act, Sec. 6605
- Underground Water Source Protection – Safe Drinking Water Act, Sec. 1443(b)
- One-Stop Grant
- Superfund State Core Program Cooperative Agreements
- Other grant programs funded by the State and Tribal Assistance Grants appropriation.

Workplans for these grants are not accompanying this PPA. Such workplans will accompany required grant applications. Reporting progress made on these grants will be done through the grant managers and grant process rather than the self assessment described in Article V of this agreement.

IDNR may choose to incorporate other eligible grants into our PPG, and incorporate their workplans into this PPA, to take advantage of the administrative and programmatic flexibility offered by 40 CFR Part 35. Such incorporation shall be subject to the Amendment Process described in Article V of this agreement.

Article III. Roles and Responsibilities

Accountability requires mutual understanding and agreement, and clear assignment of roles and responsibilities. These roles and responsibilities should utilize the comparative advantages and inherent strengths that IDNR and EPA Region 7 bring to this relationship. Both parties should continuously strive to avoid duplication. Once responsibilities are assigned and accepted, they should be diligently honored and respected by both IDNR and EPA Region 7. The substance of this article addresses general roles related to the PPA. More detail regarding responsibilities associated with services, products and activities, which support the general roles, will be provided in workplans, submitted as Attachments A – E of this agreement.

General Roles for IDNR:

1. Primary regulator – IDNR has direct regulatory responsibility for a number of environmental protection matters including: attainment and maintenance of the National Air Quality Standards, underground storage tanks, solid waste permitting program, NPDES, and safe drinking water – primacy.
2. Secondary regulator – IDNR has the authority to delegate certain regulatory activities to local governments, has the responsibility to review and evaluate delegated local program performance, and responsibility to jointly conduct compliance and enforcement activities.
3. Environmental information generation – IDNR creates a large amount of information about environmental quality in Iowa and about what actions and events that affect Iowa's environment.

4. Policy and technical advice – IDNR is frequently called upon to give environmental policy and technical advice to a wide variety of interests.
5. Financial provider – IDNR provides financial assistance to eligible parties in a number of ways via grants, loans and cost-sharing for projects.
6. Project sponsor – IDNR assumes direct sponsorship for a variety of environmental improvement projects, which help to prevent or correct a wide range of adverse environmental conditions.
7. Leadership – IDNR identifies and develops innovative approaches to address environmental problems within Iowa.

General Roles for EPA, Region 7:

1. Primary regulator – EPA, Region 7 directly implements a number of federal programs, such as RCRA – Subtitle C, TSCA, and others.
2. Secondary regulator – EPA, Region 7 has the authority to delegate some federal programs to states, has the responsibility to review and evaluate delegated state program performance, and responsibility to jointly conduct compliance and enforcement activities.
3. Resource – EPA, Region 7 provides training and technical assistance, work sharing, and conducts scientific and policy research, which helps build/supplement IDNR's capacity to administer federal programs.
4. Leadership – Addresses environmental problems that cross-state and regional borders, and ensures a consistent level of environmental protection for citizens within the region.

Under EPA, Region 7's roles as a primary and secondary regulator, they will operate in accordance with their enforcement principles to ensure that the Region 7's actions are consistent with direction from the EPA Administrator and the Office of Enforcement and Compliance Assurance, and to fulfill EPA's responsibilities under federal statutes. Also, EPA, Region 7 will notify IDNR in advance of the issuance of any formal EPA enforcement action for programs which IDNR is the primary regulator.

Article IV. Planning & Performance Commitments

Strategic Planning

Both IDNR and EPA are in the process of developing strategic plans, which will serve as the basis for performance commitments established as part of this agreement. The purpose of these strategic plans coincides with NEPPS by allowing our respective agencies to align our goals and strategies with stakeholder and customer needs, align scarce public resources with shared goals and objectives, and enhance our accountability to the public. Such activities will ultimately allow both agencies to strengthen protection of public health and the environment in Iowa.

IDNR's draft strategic plan establishes four comprehensive goals, with underlying strategies:

1. Iowans will value, engage, participate and lead in Iowa's natural resources.
 - a) Understand and address the relationship between Iowans and their environment.
 - b) Connect Iowans and their quality of life with all IDNR programs.

- c) Foster Iowans taking responsibility for managing our natural resources and environment.
 - d) Foster positive relationships with policy makers and stakeholders.
 - e) Enhance Iowa's economic vitality through practices that improve environmental quality.
- 2. Iowa will have a healthy and safe environment.
 - a) Collect, analyze, manage, share and interpret scientific and inventory data on all resources.
 - b) Develop and implement policies based on sound scientific principles.
 - c) Create a comprehensive approach to conserving and enhancing Iowa's natural resources.
 - d) Explore and encourage environmental innovation and leadership by IDNR and all stakeholders.
 - e) Improve the safety of Iowa's environment.
- 3. There will be abundant, high-quality opportunities for responsible use and enjoyment of natural resources.
 - a) Restore and maintain healthy ecosystems that support diverse plants and wildlife through a broad-based team approach to include multiple areas of resource management: game, nongame, forestry, endangered species, recreation and watersheds.
 - b) Develop and maintain a high quality system of state forest, parks, trails, educational facilities, boating access sites, natural areas, and fish and wildlife properties that support a variety of nature-based recreational pursuits.
 - c) Increase the quantity of land and water available for public recreational use.
 - d) Enhance opportunities for responsible sustainable use and development of Iowa natural resources on public and private lands.
- 4. IDNR employees will be our greatest strength.
 - a) Management will provide effective leadership and guidance.
 - b) Foster a culture of teamwork, mutual respect, innovation and professional excellence.
 - c) Ensure a continuity of functions and institutional memory.
 - d) Have effective support mechanisms and processes in place so the agency can effectively achieve its goals.

EPA has also developed a draft strategic plan, which contains the following goals:

- 1. Clean Air – Protect and improve the air so it is healthy to breathe and free of levels of pollutants that harm human health or the environment.
- 2. Clean and Safe Water – Ensure drinking water is safe. Restore and maintain oceans, watersheds, and other aquatic ecosystems to protect human health, support economic and recreational activities, and provide healthy habitat for fish, plants and wildlife.
- 3. Preserve and Restore the Land – Preserve and restore the land by reducing and controlling risks posed by releases of harmful substances; promoting waste diversion, recycling and innovative waste management practices; and cleaning up contaminated properties to levels appropriate for their beneficial reuse.
- 4. Healthy communities and ecosystems – Protect, sustain or restore the health of people, communities and ecosystems using integrated and comprehensive approaches and partnerships.

5. Compliance and Environmental Stewardship – Improve environmental performance through compliance with environmental requirements, preventing pollution, and promoting environmental stewardship. Protect human health and the environment by encouraging innovation, and providing incentives for governments, businesses, and the public that promote environmental stewardship.

IDNR and EPA Region 7 are committed to jointly developing goals and objectives, and priorities as part of this PPA, which align with our agencies' strategic goals, objectives and strategies. This joint planning effort shall focus on areas where we share common jurisdictions and authorities.

Performance Measures

Measuring progress towards achieving goals and objectives is critical for any system focused on results. In August 1997, leaders of ECOS and EPA signed a *Joint Statement on Measuring Progress under NEPPS*. This document provided guidance on the use of core performance measures (CPM). An addendum in 1999 provided clarification on the use and applicability of CPMs. CPMs are a limited set of national measures, designed to help gauge progress towards the protection of the environment and public health, and paint a national picture of environmental progress.

IDNR is also committed to reporting on CPMs except for in the following circumstances:

- The CPM does not apply to Iowa's physical setting or environmental condition.
- IDNR does not have authority for the program to which the CPM applies.
- Data for the CPM are not available or alternative data are more relevant in painting a picture of environmental progress. If data are not available EPA Region 7 and IDNR may agree upon a plan to develop necessary data.
- IDNR and EPA Region 7 agree that the work associated with the CPM are not a high priority in Iowa.

In no way does this commitment prevent IDNR and/or EPA Region 7 from developing and utilizing additional performance measures to reflect progress towards negotiated goals and objectives, which are regional or local in nature. Performance measures developed, as part of this PPA, should utilize a "family of measures" to gauge our agencies' effectiveness in providing services, generating products or conducting activities. Generally, performance measures should provide information, which support both monitoring and reporting on goal progression, and to provide data for decision making in the day-to-day operations of our agencies.

The performance measures established as part of this PPA are not final products. IDNR and EPA Region 7 have experience characterizing environmental conditions (collection and interpretation of ambient environmental data), however, we have limited experience developing linkages between environmental conditions and program performance. As such, we see this new focus as a developmental and on-going process. Selecting good measures is something that improves with knowledge and experience. We expect there will be refinements as both agencies gain experience in the NEPPS program. Both IDNR and EPA Region 7 shall be committed to continually improving the effectiveness of all performance

measures used as part of the PPA, as well as reducing high cost/low value reporting requirements.

The following sections provide the definition of terms used in this agreement, joint priorities, goals, objectives, and performance measures. More detail regarding services, products and activities, which support these goals and objectives, will be provided in the workplans, submitted as Attachments A – E of this agreement.

Definition of Terms

Core Performance Measures (CPM) – a set of national environmental and programmatic measures developed jointly by EPA and ECOS for EPA and states to use in PPAs to measure environmental and programmatic progress by all states participating in the NEPPS program. The utilization of these core performance measures help paint a national picture of environmental progress.

Goals – broad statements of desired environmental or performance results to be achieved by IDNR and EPA Region 7 in order to accomplish our missions and fulfill our visions.

Objectives – description of outcomes the IDNR and EPA Region 7 intend to achieve to reach our goals.

Performance Measure – a number or mathematical expression that documents input, output, efficiency, quality or outcome. Types are provided below:

1. **Efficiency Measure** – a performance measure which reflects the unit cost or level of productivity associated with a given service, product or activity.
2. **Environmental Indicators** – an outcome measure, which monitors environmental and public health conditions/trends. Although important to track, changes demonstrated through the use of this type of measure may not be directly attributable to our services, products and/or activities. The utilization of environmental indicators will help IDNR and EPA Region 7 identify potential environmental issues that may need to be addressed in upcoming years. Example: Trends in ambient air quality for each of the criteria pollutants (NAAQS).
3. **Input Measure** – a performance measure, which documents the amount of resources invested, used or spent for services, products or activities.
4. **Outcome Measure** – a performance measure which measures the effect of our services, products and/or activities on our customers, stakeholders or the environment; and evaluates progress towards our objectives. Environmental outcome measures could be related to releases, emissions, level of problem sources, acres of wetland converted, etc.
5. **Output Measure** – a performance measure, which reflects the number of services, products and/or activities produced or provided.
6. **Quality Measure** – a performance measure, which describes how well the service, product or activity was delivered, based on characteristics important to the customers of such service, product or activity.

Target – the desired level of attainment for identified performance measures. It establishes a way to monitor progress towards a specific goal, objective or value.

Joint Priorities

Both agencies have met to discuss priority for the next couple of years. The following list represents shared priorities between both agencies.

1. State Year of Water
2. State-wide public dialogue on Water Quality
3. List of Impaired Waters
4. Development of Nutrient Criteria
5. TMDL development strategy
6. Agriculture
7. CAFO – Permitting programs
8. Improved coordination of non-point, TMDL, and nutrient strategies
9. Worksharing – TMDL Development; NPDES CAFO General Permit Development.
10. Air Toxics
11. Worksharing – Tank inspections
12. Strategic Use of Data
13. Strategic Planning & Management
14. Program Delivery Analysis
15. Data Management – One Stop
16. Burden Reduction
17. Reporting
18. Homeland Security
19. Environmental Management Systems

Goal 1: Improve the Chemical, Physical, and Biological Integrity of Iowa's Surface Waters.

Environmental Indicators:

- Percentage of streams with indices of biotic integrity for aquatic insects greater than 49 and fish greater than 39.
- Percentage of lakes with Trophic State Index less than 65.
- Number and percent of assessed river miles, lake acres, and wetland acres that fully support designated uses.

| Objectives | Performance Measures |
|---|--|
| 1.1 Ensure Compliance with Appropriate Effluent, Pretreatment, and State Water Quality Standards. | 1.1(a) Number of fishkills resulting from municipal wastewater, open feedlots and animal confinement operations. |
| | 1.1(b) Percentage of both Publicly Owned Treatment Works (POTWs) and industrial users complying with pretreatment program requirements. |
| | 1.1(c) Percentage of NPDES facilities complying with effluent standards. |
| | 1.1(d) Percentage of POTWs beneficially reusing all or part of their biosolids, and percent of biosolids generated that are beneficially reused. |

| Objectives | Performance Measures |
|---|--|
| | 1.1(e) Percentage of Open Feedlot inspections that document compliance with solid settling requirements. |
| | 1.1(f) Percent of total wastewater enforcement actions resolved by type. |
| | 1.1(g) Percent of repeat wastewater violations. |
| 1.2 Describe the Condition of Iowa's Waters | 1.2(a) Percentage of Iowa's waters, by waterbody type and use, that is monitored and assessed. |
| | 1.2(b) Number of sites being monitored with biological methods. |
| | 1.2(c) Number of water quality standards adopted or revised. |
| 1.3 Develop Watershed Implementation Plans to Improve Iowa's Waters | 1.3(a) Number of TMDL implementation plans in effect. |
| | 1.3(b) Number of water bodies taken off impaired waters list as result of implemented TMDLs. |

Goal 2: Ensure Iowans have Safe Water to Drink.

Environmental Indicators:

- Number of community drinking water systems, and percent of population served by such systems, with no violations of any health-based standard.
- Number of non-transient/non-community drinking water systems, and percent of population served by such systems, with no violations of any health-based standard.

| Objectives | Performance Measures |
|---|---|
| 2.1 Ensure Compliance with Design and Drinking Water Standards. | 2.1(a) Percent of public water systems and population served producing water that meets all health-based safe drinking water standards. (Target: 95%) |
| | 2.1(b) Percent of public water systems and population served complying with non-health based drinking water standards. (Target: 95%) |
| | 2.1(c) Average turn around time for construction permits issued from receipt of permit application. |
| | 2.1(d) Percent of total drinking water enforcement actions resolved by type. |
| | 2.1(e) Percent repeat drinking water violations. |

Goal 3: Maintain Clean and Clear Air, which Protects Human Health and the Environment.

Environmental Indicators:

- Trends in ambient air quality for particulate matter, sulfur dioxide, ozone and nitrogen dioxide.
- Trends in emissions of toxic air pollutants as reflected in EPA's National Toxics Inventory.

| Objectives | Performance Measures |
|--|--|
| 3.1 Maintain national ambient air quality standards (NAAQS). | 3.1(a) Number of exceedances of NAAQS/AQI threshold for particulate matter. |
| | 3.1(b) Number of exceedances of NAAQS/AQI threshold for sulfur dioxide. |
| | 3.1(c) Number of exceedances of NAAQS/AQI threshold for ozone. |
| | 3.1(d) Number of exceedances of NAAQS/AQI threshold for nitrogen dioxide. |
| | 3.1(e) Number of exceedances of NAAQS/AQI threshold for carbon monoxide. |
| 3.2 Ensure compliance with applicable air emissions standards, permit conditions, and regulations. | 3.2(a) Average turn around time for construction permits issued from receipt of permit application. |
| | 3.2(b) Percentage of air minor and synthetic minor source inspections that document compliance with applicable emission standards. |
| | 3.2(c) Percentage of asbestos inspections documenting work practice compliance. |
| | 3.2(d) Percentage of asbestos complaint investigations involving work practice violations. |
| | 3.2(e) Percent of air minor and synthetic minor source enforcement actions resolved by type. |
| | 3.2(f) Percent of repeat air minor and synthetic minor source violations. |
| 3.3 Describe the condition of Iowa's air. | |

Goal 4: Preserve and Restore Soil and Groundwater Quality in Iowa.

Environmental Indicators:

- None.

| Objectives | Performance Measures |
|--|---|
| 4.1 Ensure compliance with underground storage tank standards and regulations. | 4.1(a) Percentage of UST sites in compliance with leak detection regulations. |
| | 4.1(b) Percentage of UST sites in significant operational compliance. |
| | 4.1(c) Percent of UST enforcement actions resolved by type. |
| | 4.1(d) Percent of repeat UST violations. |

Article V. Administration

Key Contacts

| Area | IDNR Contacts | EPA Contacts | |
|---------------------------------|---|--|--|
| Address | Iowa Department of Natural Resources Environmental Services Division 502 E. 9 th Street Des Moines, IA 50319-0034 | U.S. Environmental Protection Agency Region 7 901 N. 5 th Street Kansas City, KS 66101 | |
| Senior Management | Wayne Gieselman 515-281-5817 Wayne.Gieselman@dnr.state.ia.us | Art Spratlin 913-551-7401 Spratlin.William@epa.gov | |
| PPA/PPG Coordination | Scott Vander Hart 515-281-5325 Scott.VanderHart@dnr.state.ia.us | Toni Gargas 913-551-7193 Gargas.Toni@epa.gov | |
| Air Quality Issues | Catharine Fitzsimmons 515-281-8034 Catharine.Fitzsimmons@dnr.state.ia.us | Don Toensing 913-551-7446 Toensing.Don@epa.gov | Joshua Tapp 913-551-7606 Tapp.Joshua@epa.gov |
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| Drinking Water Issues | Dennis Alt 515-725-0275 Dennis.Alt@dnr.state.ia.us | Mary Mindrup 913-551-7431 Mindrup.Mary@epa.gov | |
| UST Issues | Jim Humeston 515-281-8135 Jim.Humeston@dnr.state.ia.us | Kurt Hildebrandt 913-551-7413 Hildebrandt.Kurt@epa.gov | |
| Water Monitoring Issues | Mary Skopec 319-335-1575 Mary.Skopec@dnr.state.ia.us | Cheryl Crisler 913-551-7820 Crisler.C@epa.gov | |
| Compliance & Enforcement Issues | Barb Lynch 515-242-6346 Barb.Lynch@dnr.state.ia.us | Mike Murphy 515-281-8973 Mike.Murphy@dnr.state.ia.us | Diane Huffman 913-551-7001 Huffman.Diane@epa.gov |
| | | | Dave Cozad 913-551-7587 Cozad.Dave@epa.gov |

Other contacts: Water, Wetlands, Pesticide Division Issues – Leo Alderman, Director, 913-551-7001, Alderman.Leo@epa.gov; or Betty Berry, Deputy Director, 913-551-7279, Berry.Betty@epa.gov.

Self Assessment, Reporting & Joint Evaluation

An essential part of the PPA is the self assessment. The self assessment reports progress IDNR and EPA Region 7 have made in achieving the identified environmental goals and objectives contained in this agreement. The self assessment examines:

- Progress in achieving goals and objectives based on identified measures.
- Whether the activities are adequately focused on achieving the goals and objectives.
- Program strengths/weaknesses and improvement needs, including identifying areas requiring capacity building.
- Emerging environmental issues possibly requiring further action.
- Changes or improvements in the relationship between IDNR and EPA Region 7 that may strengthen our partnership and aid in accomplishing our mutual goals.
- Financial reporting that supports the requirements in the PPG.

The self assessment achieves three purposes:

- Describes the progress made by IDNR and EPA Region 7 at achieving the goals, objectives, and services, products and activities outlined in the PPA.
- Uses this information to guide preparation of the next agreement.
- Meets the reporting requirements of the PPG.

The self assessment serves as a reporting mechanism for the current agreement and as a tool for identifying emerging environmental issues that should be highlighted in the next agreement. The self assessment demonstrates both agencies' commitments to evaluate environmental and operational performance.

The self assessment report includes an executive summary, a report on grant requirements, a financial status report, a progress report on achieving environmental goals and objectives, performance measures, and an analysis of program effectiveness. This report will be completed by the end of each calendar year for the proceeding federal fiscal year. A progress report describing programmatic outputs will be provided every six months.

In accordance with 40 CFR Part 35 regulations, EPA and IDNR must conduct a joint evaluation at the end of the PPG grant cycle to assess the effectiveness of the grant programs and discuss any existing or potential problem areas. For FY 04 & 05, EPA will review semi-annual progress reports, program reviews, and the final progress report from IDNR and issue a report for comment. The report will include: an analysis of workplan commitments versus work completed, analysis of the cumulative effectiveness of workplans, discussion of potential or existing problem areas, and suggestions for improvement.

Grants not included in the PPG will negotiate and conduct joint evaluations according each program's established protocols.

Negotiating Process

IDNR and EPA Region 7 have agreed to the following norms to help guide the process for developing this agreement and new services, products and activities that can be amended into the PPA.

- NEPPS implies working together. This means the agencies have equal input into reporting and process development, and respect for deadlines.
- Program staff developing the PPA will work through IDNR and EPA Region 7's respective PPA coordinators or appropriate designated staff.
- The document will contain a placeholder for unexpected projects. As higher-priority work comes along, other work articulated in this document may be dropped. When requests from EPA represent additions to existing work, schedules and deadlines may need to be adjusted.
- Information requests come with a cost. If either agency wants to add additional activities, it must clearly state the benefit and cost of doing this activity.
- Both agencies will consider how services, products and activities relate to environmental outcomes.
- Both parties will communicate clearly and consider whether a request for information is a need or something that's "nice to have."
- We will strive to keep each other informed.
- Clearly communicate when and how enforcement actions will occur.
- We will elevate issues and problems that cannot be resolved as outlined in the dispute resolution process discussed below.

Dispute Resolution Process

The IDNR and EPA realize that disagreements may occur. We agree to attempt to resolve issues promptly, and at the lowest possible level. Any disputes that may occur between IDNR and EPA that cannot be resolved in a reasonable time period will be raised to the next level of authority. This referral and resolution process will continue, if necessary, to the level of IDNR Director and EPA Region 7 Regional Administrator.

If this process does not lead to resolution of the dispute, the formal grant dispute procedures, outlined in 40 CFR 31.70, may be invoked. This is a time consuming process and should be reserved for the most contentious issues.

Neither IDNR nor EPA Region 7 waives any legal decision-making rights in agreeing to this dispute resolution.

Amendment Process

This agreement may be amended at any time during this term by mutual consent of EPA and IDNR. Any proposed amendment will be negotiated and agreed upon between the affected program staff of each agency. Upon reaching agreement regarding the provisions of the amendment, the amendment will be drafted by IDNR and signed by the Administrator of the IDNR's Environmental Services Division or the Administrator's delegate. The amendment will then be sent to the appropriate director at EPA Region 7, or the director's

delegate for signature. The signed amendment will be appended to the agreement and numbered sequentially in the order signed (e.g., amendment 1, amendment 2, etc.). The PPA is meant to be a living document that consistently changes to reflect progress made by both agencies.

Public Participation Process

Both the IDNR and EPA are government organizations that exist to protect human health and the environment, as such both agencies are accountable to the citizens of Iowa. This agreement is an evolving public document that can inform and guide public debate on environmental problems, goals, priorities, strategies and accomplishments; a document whose development and content will be in part shaped by public involvement. The agencies commit to development and use of a mix of approaches to effectively achieve public outreach and involvement.

In the spirit of continuous improvement, IDNR and EPA Region 7 envision the establishment of processes to engage stakeholders in comment and discussion that will shape future PPAs, including self-assessments, planning and goal setting, and the creation and evaluation of performance measures and progress toward environmental protection goals.

Article VI. Statement of Commitment

This agreement will be effective on the date of the last signature received, and remains in effect until revised. Either party may withdraw from this agreement upon 60 days written notice to the other party.

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| Jeffrey R. Vonk, Director Iowa Department of Natural Resources | | James B. Gulliford, Regional Administrator U.S. Environmental Protection Agency, Region 7 | |
| Date: | | Date: | |